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Question of the Falkland Islands (Malvinas)

## Letter dated 3 January 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a copy of the press release issued today by the Government of the Republic of Argentina on the occasion of the latest anniversary of the illegal occupation of the Malvinas Islands by the United Kingdom of Great Britain and Northern Ireland (see annex).

I should be grateful if you would arrange for this note and its annex to be circulated as a document of the General Assembly under agenda item 23.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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## Annex to the letter dated 3 January 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

### Press release

3 January 2010

On 3 January 1833, British forces occupied the Malvinas Islands, forcibly expelling their inhabitants and the Argentine authorities legitimately established there. The Argentine Republic immediately protested, and has never consented to that act of force.

Today, 177 years later, the illegal occupation continues. The Argentine Government reaffirms once again the Argentine Republic's inalienable rights of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are an integral part of Argentine national territory.

The permanent and unrenounceable objective of recovering the full exercise of sovereignty over these territories and maritime areas in accordance with the principles of international law while respecting the way of life of the inhabitants of the Malvinas Islands is enshrined in the first transitional provision of the national Constitution. This objective is a State policy and reflects the collective desire of the entire Argentine people.

Argentina and the United Kingdom have reached provisional bilateral understandings on practical matters relating to the South Atlantic, under the safeguarding of sovereignty formula, in successive joint declarations and exchanges of notes with a view to cooperating to create conditions conducive to the resumption of negotiations on sovereignty.

However, the United Kingdom continues to be reluctant to address the question of sovereignty and has repeatedly carried out unilateral acts in relation to the disputed area. These unilateral British acts violate the spirit and letter of the aforementioned understandings and are contrary to the calls by the United Nations on the two parties to refrain from taking decisions that introduce unilateral modifications in the situation while the islands are going through the process recommended in the relevant resolutions.

As a result of those unilateral British acts, the Argentine Government suspended the meetings of the South Atlantic Fisheries Commission from December 2005 and denounced the Joint Declaration on Hydrocarbons in March 2007.

The Argentine Republic considers incomprehensible the United Kingdom's refusal to address the fundamental question in order to find a peaceful and lasting solution to the sovereignty dispute, in accordance with the mandate of the international community, and reiterates once again its continued and sincere willingness to resume the process of bilateral negotiations with the United Kingdom in order to find a definitive solution to the sovereignty dispute and settle this anachronistic colonial situation that is incompatible with developments in the modern world.

The Argentine Government believes that Argentina and the United Kingdom should jointly analyse all the bilateral understandings in the light of their ultimate goal, which is to contribute to a climate conducive to the resumption of negotiations on sovereignty. Regrettably, while the United Kingdom maintains its reluctance to return to the negotiating table, Argentina will be compelled to carry out that analysis without the participation of its counterpart.